

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

DARLENE CHRISTOPH f/k/a DARLENE UTSO,
Individually and as Personal Representative of the
Estate of Michael Utso,

Plaintiff,

vs.

Civ. No. 99-829 MV/WWD ACE
Cons. w/ 99-839

JAKE REDGER, ERMA REDGER, JOSE G.
LOPEZ, and FRANCES M. LOPEZ,

Defendants.

MEMORANDUM OPINION AND ORDER

This matter comes before the Court upon the Joint Motion to Postpone Deadlines Pending Summary Judgment filed by all parties on April 18, 2000. On March 20, 2000, I entered an order to extend discovery deadlines “until one month after the Court decides Defendant Jake and Erma Redger’s motion for summary judgment.” The matter has now been set for trial before the Honorable Martha Vazquez on September 11, 2000. The reply to the summary judgment motion in question was filed April 4, 2000. If necessary, after the Redger summary judgment motion is decided, pretrial deadlines can be adjusted, and the trial judge can consider whether some adjustment of the trial setting is necessary. Inasmuch as motions for summary judgment are almost routinely filed, and since most of them are denied, I have been reluctant to stay pretrial proceedings while the trial judge considers such motions. In this particular instance, I was persuaded that the discovery stay previously entered was appropriate; however, I will not enter

another order at this time which is tied to the time that the summary judgment motion will be determined.

WHEREFORE,

IT IS ORDERED that the Joint Motion to Postpone Deadlines Pending Summary Judgment be, and hereby is, DENIED.


UNITED STATES MAGISTRATE JUDGE